IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

WRIT PETITION NO : 16277 of 1994

Between:

1.N.Gandhi, S/o. Hanumaiah, Karedu Village, Ulavapadu Mandal,
Prakasam District.
2.Chalacharla Rosaiah, S/o. chalcharla Subbarao, Karedu Village,

Ulavapadu Mandal, Prakasam District.
3. Kovur Ramanaiah, S/o. Seshaiah, Karedu Village, Ulavapadu Mandal,
Prakasam District.

..... PETITIONERS

AND

1 The District Collector, Ongole, Prakasam District.
2 The Revenue Divisional Officer, Kandukur, Prakasam District.
3 The Mandal Revenue Officer, Ulavapadu, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other writ, order or direction restraining the respondents from evicting the petitioners from the lands in their occupation in S.Nos.130, 131 and 132 of Karedu Village, Ulavapadu Mandal, Prakasam District by holding that they are entitled for assignment of the said lands as Sivaijamadars and to further direct the respondents to consider and dispose of the applications of the petitioners for the assignment of the said lands.

Counsel for the Petitioners: MR. NOUSHAD ALI

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORAL ORDER:

This Writ Petition is filed seeking a Writ of Mandamus restraining the respondents from evicting the petitioners from the lands in their occupation in Survey Nos.130, 131 and 132 of Karedu village, Ulavapadu Mandal, Prakasam District by holding that they are entitled for assignment of the said lands as Sivaijamadars and to further direct the respondents to consider and dispose of the applications of the petitioners for assignment of the said lands.

Learned Counsel for the petitioners submits that the petitioners have been in occupation of the Government Poramboke land to an extent of about Ac.4.00 each in Survey Nos.130, 131 and 132 of Karedu village for the last 10 years. It is also stated that the third respondent-Mandal Revenue Officer, Ulavapadu, Prakasam District, has been

trying to interfere with their possession and enjoyment of the lands in question.

In view of the averments made in the affidavit filed in support of the writ petition that the petitioners are in possession of the lands in question, without going into merits of the case, it would suffice in the interest of justice, to direct the third respondent-Mandal Revenue Officer, Ulavapadu, Prakasam District not to interfere with the possession of the petitioners over the land in question, if they are still continuing in possession of the lands in question, without following due process of law.

The Writ Petition is accordingly disposed of. No costs.

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15th July, 2004

Nsr/Gsn

To

1 The District Collector, Ongole, Prakasam District.
2 The Revenue Divisional Officer, Kandukur, Prakasam District.
3 The Mandal Revenue Officer, Ulavapadu, Prakasam District.

4. Two CCs to GP for Revenue, High Court Buildings, Hyderabad (OUT)

5. Two CD copies.